

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE TERRORIST ATTACKS ON  
SEPTEMBER 11, 2001

Civ. No. 03-cv-9849

USDC SDNY
DOCUMENT
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DATE FILED: 3/7/2024

This document relates to:

*Burnett, et al. v. Al Baraka, et al.*, Case No. 03-cv-9849 (GBD)(SN)

**SUGGESTION OF DEATH AND MOTION TO SUBSTITUTE PARTIES  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 15(d)**

Pursuant to Federal Rule of Civil Procedure 15(d), Plaintiffs herein move the Court to allow substitution of the parties as identified on Exhibit A in the above-referenced action. The individuals being substituted into the case are the Personal Representative of family members of individuals killed as a result of the terrorist attacks on September 11, 2001, who have passed away since their claims were initially filed in this litigation.

Exhibit A identifies the individuals to be substituted in the pleading, including the capacity in which they seek to be substituted, state of residency at the time the complaint was filed, the existing pleading that refers to the plaintiff, and the decedent for whom the substituted plaintiff is the Personal Representative.

Plaintiffs propose that, upon endorsement of Plaintiffs' Proposed Order, the substituted parties will be individually entered as a Plaintiff into the Court's ECF system by Plaintiffs' counsel to ease the burden on the Clerk of the Court's Office due to the size of this MDL.

Dated: March 4, 2024

Respectfully submitted,

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*COUNSEL FOR PLAINTIFFS*

The Burnett Plaintiffs' request is GRANTED. As set out in Exhibit A, attached, Barbara A. Geidel will be substituted as personal representative for Ralph William Geidel Sr.; Patricia McKenna as personal representative for Agnes Jane McKenna; Severino Rogan Tamayo Jr. as personal representative for Severino Yabut Tamayo Sr.; and Jason Reed Tieste as personal representative for Ronald Bruce Tieste in No. 03-cv-09849. Counsel shall update the ECF system accordingly; future requests should be filed as motions in ECF and may be filed in multiple member cases.

**SO ORDERED.**



SARAH NETBURN  
United States Magistrate Judge

Dated: March 7, 2024  
New York, New York

## EXHIBIT A

Identification of Party to be Substituted (Plaintiff's name and relationship to Decedent)	State of Residence at Filing	Reference to Plaintiff in pleadings	9/11 Decedent's Name	Paragraph of Complaint Discussing Decedent
Barbara A. Geidel as Representative of the Estate of Ralph William Geidel, Sr., Deceased	CA	1:02-cv-1616 (JR) (D.D.C.), Dkt. 3 at 1157	Gary Paul Geidel	1:02-cv-1616 (JR) (D.D.C.), Dkt. 26, 29 at 1981
Patricia McKenna as Representative of the Estate of Agnes Jane McKenna, Deceased	NY	1:02-cv-1616 (JR) (D.D.C.), Dkt. 26, 29 at 3860	Stephanie Marie McKenna	1:02-cv-1616 (JR) (D.D.C.), Dkt. 26, 29 at 2174; MDL ECF No. 8393-1 at 76, 8487
Severino Rogan Tamayo, Jr., as Representative of the Estate of Severino Yabut Tamayo, Sr., Deceased	NY	1:02-cv-1616 (JR) (D.D.C.), Dkt. 232 at P3974	Hector R. Tamayo	1:02-cv-1616 (JR) (D.D.C.), Dkt. 77 at P2717; MDL ECF No. 8393-1 at 28, 8487
Jason Reed Tieste as Representative of the Estate of Ronald Bruce Tieste, Deceased	DE	1:02-cv-1616 (JR) (D.D.C.), Dkt. 305 at P4552	William R. Tieste	1:02-cv-1616 (JR) (D.D.C.), Dkt. 26, 29 at 4548